Jim Henry

From:	Jim Henry
Sent:	Friday, May 04, 2007 5:03 PM
To:	Wong, Warner
Subject:	RE: Interview re 09/992,266

Examiner Wong:

I am in agreement with the substance of the amendment you propose for claim 1. Does the following amendment fully address the 101 issue as you proposed but perhaps in a more concise form by keeping the elements of the proposed wherein clause with the control word element?

1. (Currently Amended)

    A method, comprising:

    receiving an Asynchronous Transfer Mode (ATM) Adaptation Layer 5 (AAL5) Common Part Convergence Sublayer-Service Data Unit (CPCS-SDU) ~~AAL5 CPCS-SDU~~ at a router;

    encapsulating the AAL5 CPCS-SDU into an AAL5 enhanced packet at the router;

    generating ~~an MPLS~~ a MultiProtocol Label Switching (MPLS) packet from the AAL5 enhanced packet, wherein the AAL5 enhanced packet comprises an ATM header and a control ~~word;~~ word, the control word comprising a transport type bit to properly identify whether the MPLS packet contains an ATM cell or an AAL5 CPCS-SDU; and

    routing the MPLS packet over an MPLS network.

Does this proposed amendment to claim 6 address the 101 issue for this claim?

6. (Currently Amended)

    A method comprising:

    receiving an MPLS packet at a router;

    decapsulating the MPLS packet when the MPLS packet is an AAL5 enhanced packet;

    producing an AAL5 CPCS-SDU from the AAL5 enhanced packet, wherein the AAL5 enhanced packet comprises an ATM header and a control word, the control word comprising a transport type bit to ~~indicate that~~ properly identify whether the MPLS packet ~~comprises~~ contains an ATM cell or an AAL5 CPCS-SDU.

Thank you for your helpful comments with regard to addressing these 101 issues.

Jim Henry
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| -----Original Message-----
| From: Wong, Warner [mailto:Warner.Wong@USPTO.GOV]
| Sent: Friday, May 04, 2007 8:34 AM
| To: Jim Henry
| Subject: RE: Interview re 09/992,266
|
| Jim:
|
| The proposed changes below have not fully address the 101
| issue for yielding a useful, concrete & tangible result.
| Each independent (computer-implementable) methods/mediums
| claim is required to described a useful, concrete & tangible
| result, for example, having an ending phrase as follows:
|
| claim 1:
|
| A method, comprising:
| receiving an AAL5 CPCS-SDU at a router;
| encapsulating the AAL5 CPCS-SDU into an AAL5 enhanced
| packet at the router;
| generating an MPLS packet from the AAL5 enhanced packet,
| wherein the AAL5 enhanced packet comprised an ATM header and
| a control word, the control word comprising a transport type
| bit to indicated that the MPLS packet comprises an AAL5 CPCS-SDU; and
| routing the MPLS packet over an MPLS network,
| wherein the control word properly identifies whether the
| MPLS packet contains an ATM cell or an AAL CPCS-SDU.   [from
| spec., paragraph 28]
|
| Regards,
| Warner Wong
|
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| -----Original Message-----
| From: Jim Henry [mailto:jim_henry@bstz.com]
| Sent: Monday, April 30, 2007 6:26 PM
| To: Wong, Warner
| Subject: Interview re 09/992,266
|
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| Examiner Wong:
|
| In connection with the telephonic interview of 04/30/2007,
| applicant presents the following information:
|
| Applicant proposes to address the rejection of claims 11 and
| 16 under 35 USC 101 as claiming a signal by amending the
| claims to claim "a computer readable storage medium having
| stored thereon a plurality of instructions" because a signal
| cannot store instructions.
|
| Applicant proposes to address the rejection of claims 1 and 6
| under 35 USC 101 as lacking a tangible result by amending the
| claims to claim "a computer implemented method in which a
| computer performs the method

| comprising: ..." to make clear that a computer performs the
| claimed method and thereby produces a tangible result.
|
| Applicant proposes to address the rejection of claim 1 under
| 35 USC 103 as being unpatentable over Mauger (6,882,643) in
| view of Lundback
| (6,912,590) by amending claim 1 to add "the control word
| comprising a transport type bit to indicate that the MPLS
| packet comprises an AAL5 CPCS-SDU" following "a control
| word." This amendment conforms claim 1 to the elements of
| similar claims that the Examiner has found to be allowable,
| such as claim 21.
|
| Applicant respectfully asks for the Examiner's comments on
| these proposed amendments as addressing all outstanding
| rejections in the application.
|
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